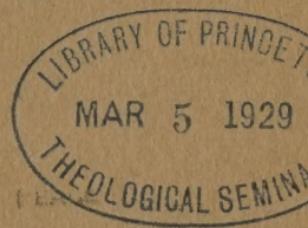


INTERNATIONAL ETHICS

Preliminary Report Presented to the Catholic
Association for International Peace
by Its Committee on Inter-
national Ethics

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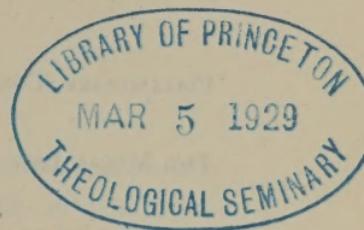
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JX1908
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New York
THE PAULIST PRESS
401 West 59th Street

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INTERNATIONAL ETHICS



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Committee on international ethics.



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PRICE 10 CENTS

New York
THE PAULIST PRESS
401 West 59th Street

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International Ethics

I

PRELIMINARY CONSIDERATIONS

As a science,¹ international ethics investigates and establishes the principles and precepts of international morality; that is, those moral truths and rules which govern the dealings of states with one another. As a system of principles and rules it constitutes an international moral code. While this paper exemplifies in some degree the former use of the term, its main object is to set forth a system of ethical principles and rules applicable to the relations among states.

International ethics differs on the one hand from the Law of Nations (*Jus Gentium*) and on the other hand from what men ordinarily have in mind when they pronounce the words "international law." In the usage of the Roman jurists and the Schoolmen, the Law of Nations comprises those secondary precepts, or universal applications, of the natural law which are recognized as such, or at least are rather generally adopted, in the legislation of particular states. While these ordinances apply in part to international affairs, their main province comprises the relations among fellow citizens and between a state and its own citizens. Since the precepts of the Law of Nations are based upon human nature, they are the same for all peoples. They constitute a common code of world law, even though all nations may not interpret or apply them in exactly the same way.

¹This brief preliminary statement of International Ethics was prepared by the Committee on International Ethics of the Catholic Association for International peace. It was presented at a national meeting of the Association and discussed during the whole session. In the light of the discussion the report was revised by the committee and presented to the executive committee, which accepted it with gratitude and ordered its publication.

INTERNATIONAL LAW AND INTERNATIONAL ETHICS

International law may be defined as the sum total of the duties and rights, customs and usages, by which states are bound together in their dealings with one another. Like the domestic laws of states, it contains two elements: natural and positive. The former comprises those principles and rules governing international relations which are immediately drawn from the moral law of nature written there by its Creator. The positive element consists mainly of treaties, customs and usages which the states have formally accepted or sanctioned. In so far as accepted international law does not include pertinent precepts of the natural law, that is, in so far as it fails to recognize all the duties and rights which it ought to recognize, it falls short of completeness; in so far as it contains articles contrary to the precepts of the natural law it loses all binding force and frustrates its own purpose.

Indeed, the problem of creating an adequate international code is for the most part the problem of incorporating the principles and conclusions of the natural law in a form applicable to the actual conditions of civilized nations. An ideal code of international law would contain the pertinent principles and rules of the natural law plus all those positive enactments which are necessary for right relations among states. We can, then, define international ethics as the sum total of these principles and rules and these positive enactments in so far as they have binding force.

Among the ancient peoples the precepts of international ethics were not entirely unknown. To a very great extent indeed, they identified right with might and showed little respect for justice, charity or pity on the battlefield; nevertheless, they recognized some ethical principles in their relations with one another. Many of them respected the sanctity of treaties, especially when these had been con-

firmed by oaths. They distinguished between just and unjust wars. Some of them even held that the conduct of war was subject to law. Aristotle, the Stoics, Cicero and Justinian had clear, even though inadequate, notions of international morality.

INTERNATIONAL LAW AND CHRISTIANITY

Being a supra-national religion, Christianity exercised a profound and extensive influence in making the nations conscious of their common membership in the family of humanity. Although Christ and the Apostles formulated no system of international ethics, they enunciated doctrines and principles in which such a code was implicit. Accordingly, we find St. Ambrose² citing as a long established principle the obligation of states to exemplify love and justice toward their enemies in war, and St. Augustine³ severely condemning warfare which originated in national selfishness and sought international domination. The Church effected a considerable measure of unity among the nations that she governed, while the Popes, with the support of the emperors, frequently acted as international arbitrators.

Owing to the practical efficacy of these principles and personages, and to the fact that the political organization of the time was feudal, the formulation of a specific code of international right was for a long time delayed. It did not seem to be immediately necessary. The need for it became pressing only after the destruction of Christian unity by the Protestant Reformation and after the formation of national states.

CATHOLICS FATHERED INTERNATIONAL LAW

The first systematic work in creating a system of international ethics, or international law, was performed by the

²*De Officiis*, L. 1, C. 29.

³*De Civitate Dei*, L. 4, C. 6.

theologians, Francisco de Vitoria (d. 1546) and Domingo Soto (d. 1560) and the jurist, Baltasar Ayala.⁴ These were followed by the Jesuits, Molina and Suarez. The first Protestant writers on the subject came considerably later than Vitoria and Soto. Gentili published his *De Legationibus* in 1583 and his *De Jure Belli* in 1589. The great work of Grotius, *De Jure Belli et Pacis*, did not make its appearance until 1625. Hence, it is scarcely accurate to call Grotius the founder of international law. Most of the underlying principles had been laid down in the works of St. Thomas Aquinas, while the more specific principles were fairly well systematized in the writings of the theologians cited above. From these sources Grotius borrowed not a little of the doctrines which he set forth in *De Jure Belli et Pacis*.⁵

Although many modern writers on the subject regard international law as a purely positive collection of treaties, customs and usages accepted by the nations, the classical Protestant authors, as Grotius and Vattel, understood it as including principles and precepts of the natural law and as resting upon that foundation. The table of contents of the former's treatise is sufficient to show that the discussion is to a much greater extent natural than purely positive. Of course, the Catholic writers have always set forth and stressed the natural law as the more pervasive and more fundamental element. International ethics is, therefore, important not merely in relation to world peace but as a guide and norm for the nations in all their dealings with one another.

⁴See Cathrein, *Moralphilosophie*, II, 740, 741.

⁵Cathrein, *op. cit.*, II, 742.

II

THE MORAL LAW IN RELATION TO STATES

THE most important principles of international ethics are those which concern the end of the state and its sovereignty. If we regard the state as an end in itself we logically declare it free from the moral law, in relation both to its own members and to foreign states and persons. The prevalence of this view in the nations of antiquity and the international immoralities which it inspired and sanctioned are among the commonplaces of history. The very considerable influence which it has exercised in the policies of many modern states is likewise well known. The literature and the propaganda of the Great War made us familiar with the names of Hegel, Von Hartmann, Lasson, Treitschke, as prominent protagonists of the doctrine that neither states nor the public acts of statesmen are subject to the ordinary rules of morality.⁶ However, not all the political writers who defended this theory in modern times were born in Germany; and many modern countries have exemplified it in their diplomacy and international policies.

A GOVERNMENT'S SOVEREIGNTY NOT UNLIMITED

The theory has been virtually, if not formally, accepted by many British and American writers in their teaching on sovereignty. They have pretty generally followed John Austin, who held that political sovereignty is legally or juridically unlimited. While this proposition explicitly declares nothing more than that no sovereign state has a right to interfere in the affairs of another sovereign state, and that there is no legal power within the state superior to the state, it easily lends itself to the inference that the power

⁶Cathrein, *op. cit.*, II, 743, 744.

of the state is absolute. And this inference has been drawn by more than one adherent of the Austinian formula. Professor Burgess declares that the state is the best interpreter of the laws of God and of reason, that it is the human organ least likely to do wrong; therefore, we must hold to the principle that the State can do no wrong.⁷ In current controversies on the relations between church and state, the number of participants who assume that the good citizen must obey every enactment of the state, indicates a very wide acceptance of the principle laid down by Professor Burgess.

While the latter was speaking in the passage just summarized of internal sovereignty, his principle is equally applicable to international affairs. If a state can do no wrong in its dealings with its own members it is likewise morally immune, or infallible, in its relations with other states. Speaking of political authority in general, another American writer says: "If in any case the limitations of the divine law are recognized, the State in the last analysis must be the interpreter of the divine will, so that in fact the restriction is nothing but a self limitation. In other words, the principles of morality, of justice, of religion, etc., so far as they constitute limitations upon the sovereign, are simply what the consciousness of the State decides them to be, for there can be no other legal consciousness than that of the State."⁸

STATES SUBJECT TO MORAL LAW

Against all theories which either expressly or by implication assert that the state is independent of the moral law we set forth the Catholic position that states, like individuals, are subject to the moral precepts of both nature and revelation.

⁷*Political Science and Constitutional Law*, II, 44-47.

⁸Garner, *Introduction to Political Science*, p. 254.

When two or more individuals unite to form a private society, such as a business partnership or a benevolent association, they are obviously bound by the moral law in their corporate acts. A moral or corporate person is subject to ethical rules quite as definitely and extensively as a physical or natural person. To deny this principle would be to authorize men to exempt themselves from the moral law in large spheres of conduct through the simple device of a formal association. In their corporate capacity they could lawfully do that which is forbidden them as individuals. This would be especially convenient in economic relations. The business corporation and the trade union could do no wrong.

Since the state is a community of human beings it is as truly subject to the moral law as any private society. The fact that it is a necessary society does not affect its character as a moral person. Its acts are the acts of an organized group of human beings. Its international conduct affects other human beings. While its end is primarily the welfare of its own members, it must attain that end with due regard to the welfare of persons who are outside its jurisdiction, just as the acts of a family must be consistent with the rights and claims of other families. Hence, the state is bound by the precepts of justice, charity, veracity and all the other moral rules which govern human relations.

To be sure, some provisions of the moral law do not apply to states in the same way as to individuals. When crime has been committed the state may deprive men of liberty, property and even life. The state has a right to wage war. On the other hand it may not subordinate itself or the welfare of its members to the interests of some other political community. Reservations and modifications of this sort, however, have to do with the manner not the fact of the subjection of the state to the moral law.

From another point of view the same truth emerges.

Man is bound by the moral law in all the circumstances of life, whether individual, social or civil. Nothing in the nature of the human person, either individually or socially considered, can be adduced as a logical basis for the supposition that he becomes exempt from the moral law in his political or international relations. In the words of Chancellor Kent: "States or bodies politic are to be considered as moral persons having a public will, capable and free to do right and wrong, inasmuch as they are collections of individuals, each of whom carries with him into the service of the community the same binding law of morality and religion which ought to control his conduct in private life."⁹⁹

Finally, the welfare of the human race requires that states be governed by the moral law. Every international action of a state must be justified or condemned in the light of its effect upon the welfare of human beings. And the moral claims of all state groups are of equal intrinsic worth. Now, injury done by one state to another is injury done to human beings. Therefore, just as no state has a right to harm its own members, neither is it justified in causing damage to the members of other states.

⁹⁹*Commentaries, I*, p. 2.

III

THE PRECEPT OF JUSTICE

BY nature all states have equal rights, since all have the same end. The essential purpose of the state is to promote the welfare of its members as a whole, as united in families and as grouped in social classes. These objects are equally important in all political societies, because the constituent groups are of equal worth as human beings.

In current political treaties, the rights of states are discussed and defined in relation to the concept of sovereignty. While the term and the concept are not free from ambiguity, they are in such general use that they cannot be ignored in any fundamental discussion of the rights of nations. Briefly, the sovereignty of a state means its legal supremacy, or social self sufficiency; that is, its legal independence of other states in the exercise of its functions. Of course, legal independence is not absolute. If it were the world could contain only one sovereign state. The root idea in sovereignty is that a state derives its governing authority from itself not from any other political organization. International law recognizes all sovereign states as equal and requires them to respect one another's sovereignty, both external and internal. Inasmuch as sovereignty can sometimes, without objection on the part of positive international law, be exercised in ways that are not sanctioned by morality, it is not identical in meaning with moral authority.

Political societies, whose legal power is limited by constitutional subordination or waived by treaty, do not enjoy the full measure of political rights available in the natural law. Examples are the commonwealths of federal governments and countries subject to a protectorate which restricts in some degree either their internal or their external sovereignty. Such political societies or states do not

possess equal moral rights with completely sovereign states, for they have surrendered or have never acquired all the authority and rights inherent in the natural law. Outside the field enclosed by these positive limitations, such states possess equal moral rights with all other states.

RIGHTS OF STATES

The principal rights of states relate to self preservation and self development. Under the former is included the right to continue as an independent state, moral immunity from forcible subjection to another state. Hence it implies the right of self defense by all legitimate means. The state has a right to require its members to defend the common good against aggression.

PROTECTION OF LIVES AND PROPERTY ABROAD

Self preservation may also include protection of the lives and property of nationals in foreign countries. That the natural law always *requires* states to perform this function may well be doubted. Conditions in a foreign territory might be so disturbed, the political authority might be so inadequate and so insecure, that sojourners or investors there would have no moral right to call upon their own governments for protection of either life or property. While existing international law recognizes this as a national right, it does not necessarily make the exercise of this power legitimate in morals. While citizens have in general a valid claim to protection by their government in foreign lands, it is limited by the right of their country and their fellow citizens not to be exposed to disproportionately grave inconvenience. Travelers and investors in foreign lands have no right to expect as much protection from their governments as they would have obtained had they remained at home. The situation involves the welfare of a small group

of adventurous citizens versus the welfare of the community. In any case, armed intervention on behalf of the former interests is never justified when they can be secured through peaceful means, such as negotiation, arbitration, severing diplomatic relations, and putting an embargo upon trade.

“NATIONAL HONOR”

More important than the foregoing right is that of being accorded due respect by other states. It arises chiefly in relation to the official representatives of a state in foreign lands. They have a right to be treated with that consideration which natural law and international usage prescribe in the situation, and the state which they represent has a right to insist upon this degree of respect. As in the case of life and property, however, so here, the right need not be urged so far as to involve the use of armed force. “National honor” has many times been utilized as a pretext for wars of aggression.

The right of self-preservation implies also the right of a state to prevent by proportionately just means other states from fostering seditious doctrines and movements within its territory. All the moral presumptions, however, are against the use of armed force in such situations.

CONQUEST

The right of a state to self development must, of course, be exercised with due regard to the rights of other states. It does not justify conquest, nor making the flag follow either migration or trade, nor forcible annexation of territory which had once been subject to the state that thus seeks expansion. The welfare and preferences of the present inhabitants of the territory as well as the just interests of the state of which they now form a part, constitute much stronger ethical claims than any that can be derived from merely historical considerations.

COLONIES

On the other hand, the right of self development may justify a state in occupying sparsely developed territory which lacks an organized government worthy of the name, or which might properly be regarded as a "res nullius," politically. God created the earth for all the children of men in general, in such a way that He did not set apart any portion of it for the exclusive political or economic control of persons or races that fail to utilize it adequately. In exercising this right of occupancy, however, the superior state must safeguard all the natural rights of the natives, including that of property. It is also obliged to provide for their education, physical, mental and moral, and to develop their capacity for some measure of self government. Whether the dominating state should eventually withdraw from such a territory, leaving the inhabitants politically independent, is a question that cannot be answered except in the most general terms. The welfare and rights of the occupying state must be given due consideration. For some peoples local autonomy, particularly as regards economic and social affairs, is better than complete sovereignty. A protectorate may be advantageous to both the weaker and the stronger people. The fact that a people has for a long time and with practical unanimity desired self rule creates a strong presumption in favor of a right to political independence. The right becomes certain as soon as independence becomes essential to the welfare of that people.

Although the relation between a state and a subordinate national group is not technically a question of international ethics, it seems to require some discussion in this place. Sometimes a state has a right to prevent the secession and independence of national minorities. In other words, the so-called "right of self determination" is not universally valid. After all, this right is not an intrinsic good; it is

not an end in itself. It is merely a means to the welfare of the people or group on whose behalf it is asserted. Moreover, it must be exercised and applied with due regard to the rights and welfare of other national and political groups, including the one to which the aspiring group has heretofore been politically subject. If a status of sovereignty would do the subordinate national group more harm than good, or if concession of it would result in grave injury to the dominant state, the change could not be justified by any such abstract principle as "the right of self determination." The national minority might never have enjoyed political independence in its present territory, might be too small to maintain a separate government, or might be so intermingled with other groups that it could not be politically detached without grave injury to itself or to the state to which it now owes allegiance. On the other hand, the national group might occupy a distinct territory, might have an average capacity for self government, might have formerly enjoyed political independence, might cherish a strong and long continued desire for independence and might be in a position to exercise it without violating the rights of the state in which it is now incorporated. Such a group would undoubtedly possess a moral right to separation and self rule. Its claim thereto would be justified by the end of all government, namely, human welfare.

RIGHTS OF MINORITIES

In any case, national minorities have a right to maintain their language, customs, sense of unity and all their other national characteristics, so long as these possessions are not clearly and gravely detrimental to the welfare of the majority or of the state as a whole. If the national minority occupies a distinct area it should be allowed all the local self government that is enjoyed by the occupants of any similar provincial or municipal jurisdiction. Obviously most

of the foregoing rights can be vindicated more certainly and generally with regard to national groups that have occupied a distinct region for centuries than as regards groups composed of immigrants or the immediate descendants of immigrants.

To harmonize the rights and welfare of any subordinate national group with the rights and welfare of the majority is one of the most delicate and difficult tasks with which a government can be confronted. The government is liable to underestimate the strength and value of national sentiment and claims; the national minority is prone to minimize its obligations of knowing and regarding sympathetically the opinions and feelings of the majority, of identifying itself with the political community of which it forms a part and of interesting itself in the social, economic and political problems which concern the state as a whole.

INTERNATIONAL INTERCOURSE

One of the most important means of national self development is regular international intercourse. The individual cannot live a normal life nor adequately develop his personality unless he exchanges goods, material, moral and intellectual, with his fellows. He needs their cooperation and they need his. In all but extremely exceptional cases, therefore, the individual is morally bound to maintain these relations. One of the most striking proofs of this obligation is derived from the common right of all persons to use and enjoy the bounty of nature. Men cannot exercise this right equitably unless they hold constant intercourse with one another. They must make contracts concerning their private possessions and they must use them in such a way that all non-possessors will have due access to them. Similarly, states cannot promote the welfare of their members adequately nor use the common bounty of nature equitably unless they hold intercourse with one another.

Owing to the great variety of circumstances, it is not practicable to formulate a complete set of rules for international intercourse which can or should be applied universally. Probably the most powerful interferences with international intercourse are customs tariffs, export taxes and embargoes and restrictions upon immigration. Even though an import tariff system be in the long run injurious to the state which imposes it as well as to foreign peoples, it cannot as a rule be conclusively proved contrary to either justice or charity. Its effects are too complex. Its temporary and partial benefits, which are indisputable, might be sufficient to justify the counter-balancing inconveniences. On the other hand, embargoes or excessive taxes upon the export of raw materials can easily amount to international uncharity and international injustice against peoples that lack certain necessary raw materials. To deprive a nation of such goods is generally a much greater injury than to reduce its opportunity of marketing its products.

IMMIGRATION

Exclusion of immigrants is undoubtedly a violation of charity when maintained by a rich and powerful state over one that is weak and overpopulated. It would probably be difficult to show that such a policy is against justice. Limitation of the number of immigrants, particularly of undesirable persons, is not necessarily contrary to either justice or charity. At the present time, immigration is a grave and urgent problem of international comity and international ethics.

TREATY OBLIGATIONS

International intercourse normally implies the establishment of international treaties. Generally speaking, states have both the right and the duty to form agreements of this character. The moral obligation of international treaties is obviously based upon the natural law. Human welfare de-

mands that just agreements should be observed whether among individuals or among those groups of individuals that we call states. To attempt to derive the sanctity of treaties from positive law, from some such formula as "international agreements must be kept," is utterly futile. Instead of establishing a moral obligation, it only pushes the difficulty further back; for it immediately raises the question, what is the moral basis of the principle itself, "agreements must be kept"? Unless we are to face an infinite series of postulates, we must introduce the intrinsic principle of the natural law.

The obligation of a state to observe a treaty which has been unjustly imposed upon it, is a very difficult ethical question. Among individuals such extortionate agreements can ordinarily be dissolved or modified in the civil courts. When there exists no competent and authoritative international court, no such recourse is open to a state. Either the unjust treaty must be unquestioningly accepted or the aggrieved state must be morally authorized to decide for itself the question of observance. Inasmuch as it lacks valid consent by one of the parties, an unjustly imposed treaty carries no more moral obligation than an unfair contract which has been forced upon a weaker individual.

The state which has compelled another state to accept unjust commitments has no valid right to their fulfillment. Conversely, the unjustly coerced state does not owe fidelity to the offending state. But the situation presents another aspect and another question. If individual states were left ethically free to decide whether an agreement was extortionate and whether it should be kept, would not a grave injury be done to international good faith? Might not the menace to the common welfare of the nations outweigh the burden inflicted upon particular states? Might not the common good require the unjustly treated state to observe treaty provisions which the offending state had no right to exact?

According to the prevailing opinion of Catholic moralists, these questions should be answered in the affirmative. Dr. Cronin accepts the common view with some qualification. He declares that an extorted treaty is not morally binding, "if the conditions imposed are manifestly and flagrantly unjust, for instance, if they are such as to reduce a state to the condition of absolute and irretrievable penury and the duress is extreme."¹⁰ Some writers follow Grotius in the opinion that unjustly imposed treaties are binding when they are as solemn and important as those by which peace is made at the close of a war.¹¹ If the contrary persuasion were generally held it would render all treaties of peace insecure, cause wars to be more devastating and more prolonged and constitute a continuous menace to international stability.

This argument is impressive but not universally conclusive. In opposition it might be urged that no state is obliged to promote the common good of the nations at the expense of vital rights and interests of its own members, and that if all unjust peace treaties were universally observed the stronger states would be more frequently and powerfully tempted to inflict unjust treaties upon the weaker. Possibly this is a reasonable position: unjustly imposed agreements which cover performances and conditions of secondary importance are not always morally obligatory, but the provisions of treaties which terminate wars are universally binding unless they have been made under extreme duress and inflict an extreme amount of injustice. In the latter case, the notoriety of the injustice would automatically free the coerced nation from the unjustly imposed conditions.

¹⁰*The Science of Ethics*, II, 658.

¹¹Cf. Meyer, *Institutiones Juris Naturalis*, II, 770, 771.

INTERNATIONAL OBLIGATION OF NEW GOVERNMENTS

Finally, the common welfare of the nations requires that a new form of government, whether or not it has been established by a revolution, should respect and perform all the international obligations contracted by its predecessor. Unless states are recognized as continuous entities, as identical moral persons persevering despite governmental changes, international faith, security and welfare are vitally injured.

IV

THE PRECEPT OF CHARITY

MANY persons hold that the relations among states are governed by the precept of justice but exempt from that of charity. No logical believer in the universality of the moral law can accept this view. Since states are moral persons they are united by the same bonds of humanity as physical persons. Men do not cease to be brothers in the human family when they become grouped into states nor do they get rid of their obligations of universal charity when they take on the character of national citizens or national rulers. Like individuals, states are bound to love that which is worthy of love and all states are thus deserving, since all are composed of human beings. Charity is as necessary for human welfare among states as among individuals. States no less than individuals are benefited by mutual love and assistance.

DUTY TO CURB EXCESSIVE PATRIOTISM

Two specific duties of international charity require particular emphasis in our time. The first is that of curbing nationalism and excessive patriotism. The obverse side of this duty is to develop and promote a reasonable and moderate internationalism. In the words of M. Louis le Fur, "the conflict of nationalism and internationalism constitutes the gravest problem of international law, affecting its very existence."¹² Nationalism is a modern phenomenon. Its distinguishing note is "a proud and boastful habit of mind about one's own nation, accompanied by a supercilious or hostile attitude toward other nations; it admits that individual citizens of one's country may do wrong, but insists that one's own nationality or national state is always

¹²*Le Probleme de la vie Internationale*, p. 227. Cf. *Enquête sur le Nationalisme*, Maurice Vaussard.

right.”¹³ It is defined by Father Cathrein as “inordinate love of country.” In his encyclical on “The Peace of Christ,” Pope Pius XI refers to it in these items: “Patriotism—the stimulus of so many virtues and of so many noble acts of heroism when kept within the bounds of the law of Christ—becomes merely an occasion, an added incentive, to grave injustice when true love of country is debased to the condition of an extreme nationalism, when we forget that all men are our brothers and we members of the same great human family, that other nations have an equal right with us both to life and to prosperity, that it is never lawful nor even wise to dissociate morality from the affairs of practical life, that, in the last analysis, it is ‘justice which exalteth a nation: but sin maketh nations miserable’ (Proverbs xiv. 34).”

It is the clear and urgent duty of contemporary states to repress this excessive patriotism, this nationalism, and to cultivate a sane internationalism. They are bound in charity to exemplify and to spread the truth that all persons and peoples are equal in nature and intrinsic worth, and of equal importance in the sight of God. All the nations have claims upon one another both in justice and in charity. All have certain common interests. All will prosper best if they recognize these claims and interests both in theory and in practice. Sane internationalism does not involve the destruction nor the diminution of reasonable patriotism, any more than good citizenship requires neglect of one’s family.

The harmony between national and international patriotism was well stated by M. Eugene Duthoit at the *Semaine Sociale* held at Havre, August, 1926. “According to the Catholic view,” he said, “national duty and international duty are two aspects of the same duty. . . . Just as the state requires the diversity of families, communes, corporations and provinces, so the harmony of states calls

¹Carlton J. H. Hayes, *Essays on Nationalism*, p. 275.

for the rich and varied diversity which is found among the nations. The Church, in order to preach the Gospel everywhere, requires that the various nations be organized and united in a community of law. Thus the double obligation, national and international, proceeds from universal charity and from the common bond which unites all men to God their Father, which unites them to one another as brethren and which conducts all to their super-terrestrial destiny."

RIGHT OF INTERVENTION

The other important duty of international charity which calls for present emphasis is that of intervention by one state in the affairs of another. Whether sanctioned or prohibited by international positive law, it is however sometimes required by the law of natural morality and the law of Christianity. Among the conditions which justify and require it are grave and long continued oppression of one state by another, the revolt of a people or a nation against intolerable tyranny, the unsuccessful efforts of a state to put down a rebellion which injures national or international welfare, grossly immoral practices, such as cannibalism and human sacrifices under the guise of religion, and continued anarchy in a state that is for the present unable to maintain a tolerably competent government. Evils of this magnitude would justify an individual or a group of individuals in calling for the assistance of other individuals or groups, and the latter would be morally bound to respond unless the inconvenience involved were disproportionately great. Consequently a similar obligation rests upon states.

ITS LIMITS

In order to justify intervention, the foregoing evils, or any of them, must be definite, certain and extreme. Hope must be wanting of any remedy from within. In particular,

the existence or the assertion of anarchical conditions in a state must be carefully scrutinized and the motive of the nation which intervenes should be free from selfishness. If these conditions are fulfilled, intervention may be of great benefit to the assisted people, not only as regards peace and order, but also in education, and in the art of government. When these tasks have been performed, the foreign government ought to withdraw, if such is the desire of the assisted people. Of course, a state has no right whatever to use armed force in the affairs of another so long as milder methods, even those of moral coercion, are sufficient.

However difficult may be the application of these rules and however frequently intervention may have been undertaken for selfish purposes, the general ethical principle is clear and incontrovertible. Just as individuals are bound to come to the assistance of their needy neighbors, so are the groups called states. Whenever intervention becomes a duty it necessarily implies the right to intervene. The pretentious assertion that no state ever has such a right is purely gratuitous and doctrinaire. It ignores the truth that governments exist for human welfare and that the right of political independence has neither logical nor ethical foundation when it is urged on behalf of a state which instead of attaining frustrates this end. Unless we are willing to uphold the absurd contention that political independence is an end in itself, we must admit that it ceases or is suspended when it persistently and profoundly fails to safeguard the welfare of the state and its members.

In the nineteenth century this absurdity was so widely preached by political writers and so-called liberals that it provoked a formal condemnation by Pope Pius IX. No. 62 in the Syllabus of condemned propositions runs thus: "The principle styled non-intervention is one to be proclaimed and put into practice." So glaring a contradiction of the moral precept of charity richly deserved the Papal denunciation.

V

THE MORALITY OF WAR

ACCORDING to the pacifist, all employment of force among nations is immoral. This assumption finds no support in either the law of revelation or the law of nature. Certain sayings of Christ which are cited on its behalf, such as the injunction about turning the other cheek and not resisting evil, have always been interpreted by the Catholic Church as counsels of perfection. They are not precepts. Moreover, they were addressed to individuals, not to states.

As to the natural law, it clearly authorizes the individual to defend himself by force against unjust aggression. The unjust aggressor has forfeited his right to physical integrity. In some conditions, force is the only effective means of protecting goods which have been unjustly attacked or jeopardized. Were innocent and upright persons to refrain from defending their rights by physical means the amount of evil and suffering in the world would be increased instead of diminished, for unjust men are always willing to use that weapon and they would be able to exercise it more frequently and effectively. Righteousness would surely not be promoted if wicked men were permitted to have a monopoly of physical coercion. All the arguments that justify force in the vindication of individual rights are fully applicable to the political groups known as states. Moreover, the individual is morally free to refrain from violent self defense when he is not definitely responsible for the welfare of others, as is a husband or a father, whereas the obligations of the state to its members forbid it to indulge in such self denial.

CONDITIONS OF A JUST WAR

Three conditions are usually set down by the moralists as essential to entrance by a state into war. They are:—

sovereign authority, a just cause and a right intention. Obviously neither a private person or group nor a subordinate political division possesses this right. Equally obvious is a right intention:—even though engaged in justifiable warfare a state should not include wrongful ends among its objectives. The second condition is sometimes formulated as “a just and necessary cause.” But the first adjective implies the second, for no cause will justify war unless it is such as to render war necessary.

WHAT IS NECESSARY SELF-DEFENSE?

Hence, the second condition may be properly and advantageously converted into the phrase, “necessary self defense.” What facts, conditions, circumstances are implied in this formula? In the first place, it means that a state may make war only to safeguard its rights. These must be either actually violated or in certain and imminent danger. Hence a war is not morally justified which aims at extending national territory, enhancing national power and prestige, promoting an international “balance of power” or fore-stalling some hypothetical or merely probable menace. Utterly inadequate are the formulations employed by some moral theologians, as “the good of the community,” “public peace,” “necessity” and similar general terms, which can be and have been used as pretexts for unnecessary wars. Moreover, legitimate defense of rights implies that the aggrieved state is not simultaneously violating the rights of the state against which it contemplates war. Otherwise, the two nations would be at once the victims and perpetrators of mutual injustice. Only that state which is less guilty could possibly have a right to begin war in these circumstances. Consequently the more guilty state would not be justified either in taking the offensive or in repelling an attack by the less guilty, so long as the latter sought nothing

more than the vindication of its rights and was willing to refrain from unjust conduct. This is the pure theory of the situation. Practically speaking, not even the less guilty state would be justified in beginning hostilities until it had definitely and manifestly ceased to commit lesser, but real, acts of international injustice. Failure to do so would clearly disclose the absence of a "right intention."

The foregoing propositions have to do with the objective situation. They are predicated of actual facts, not of the notions existing in the minds of the war-making and war-contemplating authorities. This distinction brings us to the second implication of "necessary self-defense." It is that the violation of national rights must appear to the aggrieved state as *morally certain*. No degree of probability, not even a great preponderance of probability, is sufficient. Such seems to have been the clear teaching of St. Augustine, St. Thomas and all the theologians down to the beginning of the seventeenth century.¹⁴ According to Bannez, "The state that wishes to declare war must not entertain a single doubt; the justifying reasons must be clearer than day. A declaration of war is equivalent to a sentence of death; to pronounce the latter with a doubtful conscience is murder." With equal positiveness the same principle was asserted by Vasquez. But it was abandoned by Suarez. The latter would permit a ruler to make war who regarded his right to do so as more probable than his obligation to refrain, or who thought that the probabilities of justice favored his cause rather than that of the opposing state. In technical terms, Suarez applied to the question of war-making the principle of probabiliorism. His fellow countryman and fellow Jesuit, Vasquez, declared flatly that no degree of probability would suffice to justify the initiation of "the greatest evil in

¹⁴*Cf.* Stratmann: *Weltkirche und Weltfriede*, pp. 85-89, Augsburg, 1924. This is one of the best works of modern times on the Catholic principles of peace and war.

Christian society." Sylvius was of the same opinion. In practice, said St. Alphonsus, war involves such grave evils that it can almost never be justified on the basis of a probable opinion. So great was the authority of Suarez, however, that his view came to be adopted by a considerable number of moral theologians in the seventeenth and eighteenth centuries.

Surely Suarez was wrong. Surely Bannez was right when he compared a declaration of war to a sentence of death. If a jury or a judge is morally forbidden to condemn a man to death unless they feel assured of his guilt beyond all reasonable doubt, how can it be reasonably maintained that a civil ruler is justified in virtually pronouncing the death sentence upon hundreds or thousands of men, while he still has a reasonable doubt that the rights of his country are undergoing violation? While realizing that the evidence of present injustice generates merely a proponderant probability, he might, however, feel morally certain that if he failed to take belligerent action, the probable injustice would become actual. In other words, the ruler might regard actual injustice as merely probable but future and contingent injustice as morally certain. In similar circumstances, an individual would be justified in using extreme measures for self-defense. In both cases there would be moral certainty, not merely a high degree of probability, that one was confronted by a grave evil.

RULE OF PROPORTIONATE EVIL

Neither actual violation of national rights nor moral certainty about it, nor both combined, are sufficient to make war morally lawful. As in every other situation when an act is contemplated which will lead to both evil and good results, the rules of ethics require that the cause or reason must be in proportion to the magnitude of the evil. War,

particularly in modern times, inflicts so many, so various and such enormous injuries upon innocent and guilty alike that it cannot be justified except by very grave reasons, by the gravest known to human society. *Causa gravissima* is the phrase used by the distinguished moral theologian, Père Tanquerey.¹⁵ Hence the rights and interests that are unjustly attacked or jeopardized must be of primary importance to the state and its members. Such minor evils as a slight or temporary offense against national honor or prestige or comfort or property will not justify the production of the awful evils involved in devastating warfare. The welfare of the aggrieved state as well as that of the aggressor state is better safeguarded through the toleration of relatively small wrongs until such time as they can be repaired through peaceful processes. In the words of Suarez, "Not every cause is sufficient, but a grave cause, proportionate to the damage of war."

Even though all three of the foregoing conditions are fulfilled, a declaration of war is not yet morally lawful. It is not yet a necessary means of self-defense. Recourse to war is not justified until all peaceful methods have been tried and found inadequate. The principal pacific means and devices are:—direct negotiation, diplomatic pressure of various kinds, such as trade embargoes, boycotts and rupture of normal international intercourse, and mediation and arbitration and judicial settlement. If all these should prove ineffectual, "the calm, deliberate judgment of the people, rather than the aims of the ambitious few should decide whether war be the only solution. Knowing that the burdens of war will fall most heavily on them, the people will be slower in taking aggressive measures, and, with an adequate sense of what charity and justice require, they will refuse to be led or driven into conflict by false report or specious argument. Reluctance of this sort is entirely

¹⁵ *De Virtute Justitiae*, p. 152.

consistent with firmness for right and zeal for national honor. If it were developed in every people, it would prove a more effectual restraint than any craft of diplomacy or economic prudence.”¹⁶

Father Stratmann informs us that Cajetan and Vitoria added another condition as essential to a legitimate declaration of war.¹⁷ It is that the aggrieved nation should be morally certain of victory. Statesmen are not justified in making war if their country is likely to find itself in a worse condition at the end than at the beginning. However, it does not seem reasonable that the responsible persons should possess moral certainty of a successful outcome. In the nature of the case, that is frequently impossible. It would seem sufficient that the government should have solid reasons, proportionate to the evil alternative of defeat, for expecting victory.

These then are the five conditions necessary and sufficient to justify a state in entering upon war:—actual or certainly imminent violation of rights; moral certainty that this is the situation; a degree of evil in the injury proportionate to the evils involved in war; inefficiency of peaceful means; and a well grounded hope of bringing about better conditions. The sovereign authority must also declare the war and it must possess the right intention.

In few, if any, modern wars have all these conditions been observed by the nations which initiated hostilities. Indeed, an honest attempt to observe all these conditions would make war practically impossible.

To continue a war longer than is necessary for the protection or vindication of rights is quite as immoral as to begin it unnecessarily. It is pretty generally realized now that all the belligerents in the late war would be in a better situa-

¹⁶*Pastoral Letter of the American Hierarchy*, pp. 69, 70.

¹⁷*Loc. cit.*

tion today if Pope Benedict's plan of peace had been accepted in August, 1917.

In the course of a war justice may change sides, or it may come to be disregarded by both combatants. The latter hypothesis was verified when the representatives of both groups refused to heed the plea of Pope Benedict.

TREATIES OF PEACE

The process of concluding peace is likewise subject to the moral law. Charity as well as justice must be exemplified by both parties. Victory does not give the unjust aggressor the right to impose burdens upon the vanquished. On the contrary the former owes the latter full measure of restitution. If victory crowns the arms of the state whose cause was just, it confers no right to exact more than adequate reparations and indemnities, while charity may require these obligations to be postponed or reduced or entirely condoned and canceled. Inasmuch as both victors and vanquished always believe that they have been in the right, and inasmuch as no victorious nation can be trusted to treat the conquered nation with either justice or charity, it is desirable that peace treaties should be made under the supervision of some impartial tribunal.

VI

THE OBLIGATION OF PROMOTING PEACE

JUSTICE requires a state to promote peace for the sake of its own members, while charity obliges it to pursue the same end for the welfare of both itself and other nations. These duties rest not only upon governments, but upon peoples, particularly upon those persons and organizations which can exert influence upon public opinion and upon political rulers.

EDUCATION IN PEACE

The first and most generally obligatory means and action is education. The people require instruction concerning the universality of brotherhood, the possibility of permanent peace and the fallacy of indefinite preparedness, while statesmen stand in particular need of becoming familiar with the principles of international ethics.

Human brotherhood must be intensively and extensively preached to all groups and classes; in theological seminaries, in colleges and schools; in the pulpit and in catechetical instructions; in religious books and periodicals. The individual must be taught a right attitude of mind toward all foreigners. It is not enough to declare that "every human being is my neighbor." The obligations which are implicit in this phrase must be explicit. They must be set forth in detail with regard to foreign races and nations. Men must be reminded that "every human being" includes Frenchmen, Germans, Italians, Englishmen, Japanese, Chinese, and all other divisions of the human family. And this doctrine should be repeated and reiterated. Effective teaching and adequate assimilation depend largely upon the simple process of repetition.

FALSE PATRIOTISM

In the second place, the duties of patriotism must be expounded in a more restrained and balanced way than that which has been followed heretofore. Men must be taught that it is *not* "sweet and becoming to die for one's country" if one's country is fighting for that which is unjust. Without denying or weakening the sentiment of national patriotism, we can set forth that wider and higher patriotism which takes in all the peoples of the earth. A large part of our efforts in this field must be specifically, courageously and persistently directed against the spirit of exclusiveness and narrowness which characterizes that perversion of national sentiment now stigmatized as nationalism. "The national state through education in national school, national army and national journalism, through the social pressure of national patriotism, inculcates in its citizens the fancy that they are a world by themselves, sufficient unto themselves; it teaches them that they are a chosen people, a peculiar people, and that they should prize far more what is theirs as a nationality than what is theirs as human beings."¹⁸ This fundamentally erroneous and unchristian education has had a long start in every modern state. The task of arresting and counteracting it will be long and arduous. Until it is accomplished, however, no fundamental progress can be made in the prevention of war and the safeguarding of peace.

STATESMEN AND A JUST WAR

Another urgent task is to bring about a profound shifting of emphasis in formal statements of the conditions which justify war. Instead of laying stress upon the lawfulness of engaging in a war of self-defense, we should clearly and fully and frequently set forth all the conditions which are required according to the principles of morality. We should

¹⁸Hayes, *op. cit.*, p. 258.

challenge disproof of the conclusion that all these conditions have rarely been available to justify the outbreak of war. If it be objected that statesmen have *assumed* the presence of these conditions and, therefore, have made war in good faith, the reply is that statesmen have very rarely taken the trouble to ask themselves deliberately and conscientiously whether the justifying conditions were really present. They have seldom given the question an amount of honest consideration proportionate to the evils entailed by a declaration of war. Hence the obligation of examining into and observing all of the conditions should be urged in a special way upon the rulers of states. We should put particular emphasis upon the fourth condition, namely, the exploration of all pacific methods for avoiding a bloody conflict.

Finally we should keep before men's minds the fundamental ethical truth that as a whole, as a two sided performance, war is always wrong. In the words of Rev. Theodore Meyer, S.J.: *Bellum nequite esse, objectivo loquendo, ex utraque parte formaliter et materialiter justum.*¹⁹ If one state is defending its rights the other is necessarily violating rights. Even the former is guilty of injustice if it has begun hostilities in disregard of any one of the other necessary conditions.

PEACE IS FEASIBLE

The mental attitude of the people must be changed and reformed with regard to the possibility of establishing permanent peace. One of the greatest obstacles to peace has always been the lazy assumption that wars must come, that there will always be war while men are men. So long as this pessimism prevails, the majority of persons will not

¹⁹*Institutiones Juris Naturalis*, II, p. 794. "Objectively speaking, war can not be formally and materially just on both sides."

assert themselves in the cause of peace. World peace is largely, if not mainly, a matter of human faith. If the majority of people believe that peace can be established and secured, peace will be established and secured. We must persistently show that a reign of peace is feasible, until this idea and this faith become a dominating and effective element in the habitual thinking of an average man and woman. According to the newspaper reports, Pope Pius XI said to Nicholas Murray Butler in the summer of 1927: "In order to reach a just and lasting peace it is necessary that the love of peace be deep-rooted in the hearts of men."

As regards indefinite preparedness, two facts should be emphasized. First, this doctrine and policy provokes international distrust, suspicion and competition in armament. This is true even of the United States. Even though we may be free from any desire to use our military forces unjustly, we cannot reasonably expect other nations to accept this view in the light of our unnecessary and unprovoked declarations of war upon two weaker states. No competent American historian holds that we were morally justified in our war against Mexico or in our war against Spain.

The second point to be stressed about preparedness refers to more than one country, but it has particular application to the United States. We are already in a condition of adequate preparedness. We are not in danger of attack by another state or combination of states. While such an event is possible, the utmost preparedness of which our country is capable would not suffice to forestall every possible act of aggression or to give our country complete security. All that a nation can hope for, all that any nation is warranted in attempting, is to be adequately prepared against reasonably probable contingencies. On the other hand, it is neither necessary nor wise for our country to reduce considerably its present military and naval equipment until the most powerful foreign states agree to do likewise.

WORK FOR PEACE

The second great duty in fulfilling our obligation of promoting world peace is to consider fairly and to support, so far as our abilities and conscience permit, practical proposals and arrangements for preventing war and making peace secure. In general terms these methods are pretty definitely formulated and pretty generally accepted. They were all set forth by Pope Benedict XV. In fact he was the first to recommend them as a comprehensive and consistent scheme. In his letter to the belligerents, August, 1917, he proposed that:—moral right be substituted for the material force of arms in the reciprocal dealings of nations; the nations enter upon a just agreement for the simultaneous and reciprocal reduction of armaments; armed force be replaced by the noble and peaceful institution of arbitration, with the provision that penalties be imposed upon any state which should refuse either to submit a national question to such a tribunal or to accept the arbitral decision.

In his letter to the American people on the last day of the year, 1918, he expressed a fervent desire for an international organization which, “by abolishing conscription will reduce armaments; by establishing international tribunals will eliminate or settle disputes; and by placing peace on a solid foundation will guarantee to all independence and equality of rights.”

In his encyclical on “International Reconciliation,” Pentecost Sunday, 1920, the same Pontiff laid particular stress upon the association of the states in an international organization: “All states should put aside mutual suspicion and unite in one sole society or rather family of peoples, both to guarantee their own independence and safeguard order in the civil concert of the peoples. A special reason, not to mention others, for forming this society among the

nations is the need generally recognized of reducing, if it is not possible to abolish entirely, the enormous military expenditure which can no longer be borne by the state, in order that in this way murderous and disastrous wars may be prevented and to each people may be assured, within just confines, the independence and integrity of its own territory."

PROPOSALS

The substitution of moral right for material force, general disarmament, compulsory arbitration of disputes among states, the codification of international law, an international tribunal of justice and an association of nations, such is a complete and coherent summary of the practical methods available and necessary for preventing war and assuring peace. In the present condition of international affairs they all seem to be not only in harmony with, but demanded by the principles of morality, the principles of international right. World peace seems to be unattainable unless every one of these proposals and devices is somehow made to function. As sincere lovers of peace, it is our duty to consider them sympathetically and adequately, and in the light of that examination to support any of them that wins our approval. Unless we strive for peace by specific and practical methods, all our pacific professions are hollow and futile. The obligation to attain an end implies an obligation to use the appropriate means.

COMMITTEE ON INTERNATIONAL ETHICS,
THE CATHOLIC ASSOCIATION FOR INTERNATIONAL PEACE

REV. JOHN A. RYAN, D.D., Catholic University of America, Washington, D. C., *Chairman.*

REV. DR. CHARLES BRUEHL, Seminary of St. Charles Borromeo, Overbrook, Pa.

REV. J. P. DONOVAN, C.M., Kenrick Seminary, Webster Groves, Mo.

REV. CYPRIAN EMANUEL, O.F.M., Franciscan Monastery, Cleveland, Ohio.

REV. LEO CHARLES GAINOR, O.P., Providence College, Providence, R. I.

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REV. MOORHOUSE I. X. MILLAR, S.J., Fordham University, New York, N. Y.

REV. CHARLES C. MILTNER, C.S.C., Notre Dame University, Notre Dame, Indiana.

APPENDICES

APPENDIX A

READING LIST

"Primer of Peace and War." Plater, S.J. (Kenedy.)

"Catholics and the Problems of Peace." Keating, S.J. (Catholic Social Guild: Oxford.)

"Christian Ethics." Ross, C.S.P. (Devin-Adair.)

"The Science of Ethics." Cronin. (Benziger.)

"Declining Liberty and Other Papers." (Passim, but particularly, Christian Principles of War and Peace.") Ryan. (Macmillan.)

Catholic Encyclopedia—articles on "International Law," "War," "Papal Arbitration," "Peace Congresses," etc.

"History and Nature of International Relations." Walsh, S.J. (Ed.) (Macmillan.)

"Encyclicals of Pius XI." Ryan. (Herder.)

"Vitoria and Suarez: The Founders of the Modern School of International Law." Scott. (Georgetown School of Foreign Service.)

"Syllabus on International Relations." Moon. (Macmillan.)

"International Law." Fenwick. (Century.)

"Essays on Nationalism." Hayes. (Macmillan.)

"Imperialism and World Politics." Moon. (Macmillan.)

"Problems of a New World." Hobson. (Macmillan.)

"American Foreign Policy." Latané. (Doubleday, Page.)

"History of American Foreign Relations." Sears. (Crowell.)

Catholic Historical Review, April, 1928. Articles by John J. Burke, C.S.P., and John Keating Cartwright, D.D.

Files of *America*, *Commonweal*, *Catholic World*, *Social Justice*.

"Le Probleme de la Vie Internationale"—Proceedings of the 1926 French Catholic Social Week.

"Enquête sur le Nationalisme." Vaussard.

"Moralphilosophie." Cathrein.

"Weltkirche und Weltfriede." Stratmann.

"Das Friedenswerk der Kirche in den letzten drei Jahrhunderten." Müller.

APPENDIX B

REPORTS IN PREPARATION

Two other reports, "Sources of International Enmity" and "Sources and Means of Furthering International Friendship" are now approaching final form for presentation to the executive committee. The first of these committees is under the chairmanship of Professor Parker T. Moon of Columbia University, author of "Imperialism and World Politics" and "A Syllabus on International Relations." The second is under the chairmanship of Michael Francis Doyle, International President of the Catholic Cercle de Geneve, with Professor Charles G. Fenwick of Bryn Mawr College, an authority on international law, the reporting member.

These committee reports will be published in due time.

The Catholic Association for International Peace has at work other committees as follows: Ethical and Legal Terminology, Dependencies of the United States, Pan-American Relations, Relations of the United States with Europe, Relations of the United States with Asia, Education Toward Peace.

Other committees will be created from time to time.

APPENDIX C

PURPOSES AND METHODS

The Catholic Association for International Peace came into existence to help American public opinion, and particularly Catholics, in the task of ascertaining more fully the facts of international life and of deciding more accurately what ought to be done that the relations between nations may become just, charitable and peaceful. Being an association of Americans, it directs itself in a special manner to the international relations of the United States.

It works in a double tradition. It works in the American tradition of political democracy under which citizens have the right and the duty to join in the general formation of foreign policy. It works in the Catholic tradition of justice, charity and peace to all mankind. Though the higher ideals of our country have been directed towards the union of these two traditions of democratic choice and a just, charitable and peaceful choice, the ideals have been and are often forsaken or beclouded. The Catholic Association for International Peace proposes to itself the task of helping to fuse these two traditions.

It comes into being at a crucial time. Our international position has been magnified many times. Our opportunities and obligations have been correspondingly magnified. What the facts are of our

international position and what obligations correspond to these facts form a complex set of questions. As citizens of a democracy and as Catholics, we are bound to see to it, as far as we may, that our citizenship is used to bring justice, charity and peace among the peoples of the earth. The Catholic Association for International Peace wishes to do its part to help the United States and Catholics especially to know and live up to these opportunities.

It launches its work modestly. It proceeds with the care due the complicated subject with which it deals. Its present method is to bring together in committees persons acquainted with particular phases of the question. These committees prepare reports. The reports are discussed in the meetings of the organization. In the light of this discussion, they are then revised. Thereafter, they are presented to the executive committee which makes them public, not however as reports of the organization itself, but as reports of its committees clearing the ground for further activities.

The Catholic Association for International Peace considers that this is the most practical method it can now follow to build up a body of information and of judgments soundly based upon facts and right principles. It knows that while the ethics of International relations are in the main clear and definite, the application of these principles to particular cases requires an adequate knowledge of the facts. Therefore, while it begins its work with a brief statement of the ethics of international relations, which one of its committees has prepared, it knows that its work has just begun.

It intends to dig deeper and deeper. It hopes that it will enlist the aid of scholars to make special and lengthy research. It desires to encourage further and ampler unfolding of information and judgments. It welcomes discussion of its reports, and of new work it might undertake, in papers, magazines and from the platform.

The Catholic Association for International Peace aspires particularly to be of service to Catholic lay organizations in their work of furthering "the Peace of Christ in the Kingdom of Christ." It seeks to perform this service, free from partisan prejudice, by the accuracy of the facts and the soundness of the judgments which its committees present.

The Catholic Association for International Peace is soliciting the membership and cooperation of Catholics of like mind. It is seeking especially the membership and cooperation of those whose experiences and studies are such that they can take part in the preparation of committee reports.

Headquarters are now at 1312 Massachusetts Avenue, Washington, D. C.

APPENDIX D

FORMATION OF THE CATHOLIC ASSOCIATION FOR INTERNATIONAL PEACE

The initial step for the organization of a Catholic association in the United States, devoted particularly to international peace and good international relations, was taken at a meeting called by the Social Action Department of the National Catholic Welfare Conference immediately following the Eucharistic Congress in Chicago, June, 1926, where representatives of a dozen nations met informally with Americans for discussion. A resolution was adopted calling upon all organizations of Catholics in the United States to work for peace.

A second meeting was held in Cleveland in October, which was called by a committee appointed by the National Council of Catholic Men, National Council of Catholic Women, and the N. C. W. C. Social Action Department. At this meeting plans were further discussed and a temporary organization known as the Catholic Committee on International Relations was formed. A constitution committee and an organizing committee were named and it was decided to call a conference in Washington, D. C., in the spring following.

At a two-day meeting held in Washington, April 20 and 21, 1927, the permanent name, the Catholic Association for International Peace, was adopted. The Association elected these officers:

Rt. Rev. Bishop Thomas J. Shahan, rector of the Catholic University of America, honorary president; Judge Martin T. Manton of New York, president; Rev. Moorhouse I. X. Millar, S.J., of New York, William Franklin Sands of Washington, Rev. Charles C. Miltner, C.S.C., of Notre Dame, Ind., Frederick P. Kenkel of St. Louis, Col. P. H. Callahan of Louisville, Ky., Miss Anna Dill Gamble of York, Pa., Rev. John A. Ryan, D.D., of Washington, and Dr. Herbert F. Wright of Washington, vice-presidents, and E. Francis Riggs of Washington, secretary.

The constitution of the Association sets forth that "the objects and purposes of this Association shall be to study, disseminate and apply the principles of natural law and Christian charity to international problems of the day; to consider the moral and legal aspects of any action which may be proposed or advocated in the international sphere; to examine and consider issues which bear upon international good will; to encourage the formation of conferences, lectures and study circles with the view of educating Catholic opinion upon the subjects relating to international morality and of acquainting, as far as possible, the general public with the Church's teachings upon these matters; to issue reports on questions of inter-

national importance; to consider and arrange for the publication in the Catholic and secular press of selected articles by Catholic writers of different countries; and to further, in cooperation with similar Catholic organizations in other countries, in accord with the teachings of the Church, the object and purposes of world peace and happiness. The ultimate purpose shall be to promote, in conformity with the mind of the Church, the Peace of Christ in the Kingdom of Christ."

APPENDIX E

EXCERPT FROM PASTORAL LETTER OF AMERICAN HIERARCHY (1920)

The solution of international problems on a sound and permanent basis can be reached only through the acceptance and application of moral principles. Without these, no form of agreement will avail to establish and maintain the order of the world.

Since God is the Ruler of nations no less than of individuals, His law is supreme over the external relations of states as well as in the internal affairs of each. The sovereignty that makes a nation independent of other nations, does not exempt it from its obligations toward God; nor can any covenant, however shrewdly arranged, guarantee peace and security, if it disregard the divine commands. These require that in their dealings with one another, nations shall observe both justice and charity. By the former, each nation is bound to respect the existence, integrity and rights of all other nations; by the latter, it is obliged to assist other nations with those acts of beneficence and good will which can be performed without undue inconvenience to itself.

From these obligations a nation is not dispensed by reason of its superior civilization, its industrial activity or its commercial enterprise; least of all, by its military power. On the contrary, a state which possesses these advantages, is under a greater responsibility to exert its influence for the maintenance of justice and the diffusion of good will among all peoples. So far as it fulfills its obligation in this respect, a state contributes its share to the peace of the world: it disarms jealousy, removes all ground for suspicion and replaces intrigue with frank cooperation for the general welfare.

The growth of democracy implies that the people shall have a larger share in determining the form, attributions and policies of the government to which they look for the preservation of order. It should also imply that the calm deliberate judgment of the people, rather than the aims of the ambitious few, shall decide whether, in case of international disagreement, war be the only solution. Knowing that the burdens of war will fall most heavily

on them, the people will be slower in taking aggressive measures, and, with an adequate sense of what charity and justice require, they will refuse to be led or driven into conflict by false report or specious argument.

Reluctance of this sort is entirely consistent with firmness for right and zeal for national honor. If it were developed in every people, it would prove a more effectual restraint than any craft of diplomacy or economic prudence. The wisest economy, in fact, would be exercised by making the principles of charity and justice an essential part of education. Instead of planning destruction, intelligence would then discover new methods of binding the nations together; and the good will which is now doing so much to relieve the distress produced by war, would be so strengthened and directed as to prevent the recurrence of international strife.

One of the most effectual means by which states can assist one another, is the organization of international peace. The need of this is more generally felt at the present time when the meaning of war is so plainly before us. In former ages also, the nations realized the necessity of compacts and agreements whereby the peace of the world would be secured. The success of these organized efforts was due, in large measure, to the influence of the Church. The position of the Holy See and the office of the Sovereign Pontiff as Father of Christendom, were recognized by the nations as powerful factors in any undertaking that had for its object the welfare of all. A "Truce of God" was not to be thought of without the Vicar of Christ; and no other truce could be of lasting effect. The Popes have been the chief exponents, both by word and act, of the principles which must underlie any successful agreement of this nature. Again and again they have united the nations of Europe, and history records the great services which they rendered in the field of international arbitration and in the development of international law.

APPENDIX F

STATEMENTS OF THE ADMINISTRATIVE COMMITTEE OF THE NATIONAL CATHOLIC WELFARE CONFERENCE

"As Catholics—brothers of the Prince of Peace—and as Americans, we have the spiritual responsibility of promoting peace not only in our own country, but throughout the world."—February 2, 1922.

"We should, individually and through organizations, earnestly study to preserve the peace of the world. Our thoughts, our aims, should be in the path of peace. Peace should be our goal."—May 2, 1924.

N. C. W. C. STUDY CLUB OUTLINE ON INTERNATIONAL ETHICS

(Printed by Permission of the N. C. W. C. Study Club Committee)

NOTE.—Of the references in the bibliography confer especially, Plater and the *Catholic Encyclopedia*. See also Appendix E.

Lesson I

GOVERNMENTS SUBJECT TO MORAL LAW (Parts I and II of the Report)

SUBJECTS FOR DISCUSSION

1. Relation between international law and international ethics.
2. Christianity and international ethics.
3. Origins of international law.
4. Opponents of international morality.
5. Subjection of governments to laws of right and wrong.
6. Consequences of denying this.

QUESTIONS

1. What is international ethics?
2. What is international law?
3. Why is Christianity the inspiration of international peace?
4. What special reasons were there that Spanish Catholics of the sixteenth century should have systematized international ethics and international law?
5. Measure the motto, "Right or wrong, my country," against this section of the report.
6. Why is a government bound by laws of right and wrong in its relations with other governments?

PAPERS

1. "Francis of Vitoria" (*Catholic Encyclopedia*; Scott).
2. "The Work of the Catholic Association for International Peace" (Write the organization).

Lesson II

JUSTICE (Part III of the Report)

SUBJECTS FOR DISCUSSION

1. Equal moral rights of all states.
2. Protection of lives and property of citizens abroad.
3. Protection of national honor.
4. Limitations on national development.
5. Elements of international intercourse.
6. Immigration and international peace.

QUESTIONS

1. What limitations are placed upon the right of a government to the protection of the life and property of its citizens abroad?
2. Upon "National Honor?"
3. Upon national development?
4. Upon retention of peoples as colonies?
5. Upon self-determination of peoples?
6. Why are tariffs of importance in international relations?

PAPERS

A review of the sections dealing with the United States in Moon's "Imperialism and World Politics."

Lesson III

CHARITY. (WAR NOT ALWAYS WRONG. Part IV of the Report) (Part V, first two Paragraphs)

SUBJECTS FOR DISCUSSION

1. Charity as a duty of governments.
2. Patriotism and nationalism.
3. Intervention as sometimes a right and duty of international charity.
4. Limitations upon it.
5. Possibility of a just war.

QUESTIONS

1. Why is charity a duty of government?
2. Wherein does excessive patriotism oppose Christian charity?
3. What different forms of intervention are there?
4. Why is war not essentially morally wrong?
5. Discuss reasons why some persons hold war is always wrong.

PAPERS

1. Review of Hayes' "Essays on Nationalism," the work to be divided between two persons.
2. "The Catholic Church and Nationalism." (The Historical Attitude of the Church Towards Nationalism: John J. Burke, C.S.P., *American Catholic Historical Review*.)

Lesson IV

WHEN IS WAR JUST? (Part V of the Report, Continued)

SUBJECTS FOR DISCUSSION

1. Safeguarding rights.
2. Certainty of their violation.
3. Proportionately grave cause.
4. Necessity of recourse to peaceful means.
5. Good reasons to hope for victory.
6. Arbitrated peace treaties.

QUESTIONS

1. Why must the rights be actual rights?
2. Why must a government be certain of its case?
3. Why ought there be greater cause in the future than in the past to justify war?
4. Why ought war to be the last resort?
5. Why ought peace treaties be arbitrated rather than imposed or negotiated?

PAPERS

1. A Review of Plater's "Primer of Peace and War."
2. "The American Citizen and Foreign Policy."

Lesson V

PROMOTING PEACE (Part VI of the Report)

SUBJECTS FOR DISCUSSION

1. Obligation of American citizens in our foreign policy.
2. Education towards peace.
3. Excessive patriotism in the United States.
4. Catholic lay organizations and peace.
5. The Catholic press and peace.
6. The possibility of permanent peace.
7. "Preparedness."
8. Pope Benedict's peace proposals.

PAPERS

"Christ, the Prince of Peace" (Encyclicals *Ubi Arcano* and *Quas Primas*, Encyclicals of Pius XI).

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